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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 16, 2002

APPLICATION OF

THE CITY OF BRISTOL

CASE NO. PUC-2002-00126

For a certificate of public  
convenience and necessity to  
provide local exchange  
telecommunications services  
and for interim operating authority

ORDER FOR NOTICE AND COMMENT

On August 5, 2002, the City of Bristol d/b/a Virginia Bristol Utilities Board ("Bristol" or "Applicant") completed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity to provide local exchange telecommunications services in the cities of Bristol and Norton and the counties of Washington, Scott, Lee, Wise, Russell, Tazewell, Smyth and Grayson; and for interim operating authority to operate as a local exchange carrier. The initial application filed by Bristol was amended on July 8, July 19, July 25, and completed on August 5, 2002.

On August 12, 2002, Central Telephone Company of Virginia and United Telephone-Southeast, Inc., filed a Notice of Participation and an objection to Bristol's request for interim operating authority.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Bristol's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have an opportunity to comment and request a hearing on Bristol's application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report.

In addition, we will deny Bristol's request for interim operating authority. Bristol filed its application pursuant to § 56-265.4:4 C of the Code of Virginia, which became effective on July 1, 2002. Bristol has not presented sufficient legal and factual basis upon which interim authority may properly be granted.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC-2002-00126.

(2) Bristol is hereby denied interim operating authority.

(3) On or before September 12, 2002, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION  
BY THE CITY OF BRISTOL FOR A CERTIFICATE OF  
PUBLIC CONVENIENCE AND NECESSITY  
TO PROVIDE LOCAL EXCHANGE  
TELECOMMUNICATIONS SERVICES  
AND FOR INTERIM OPERATING AUTHORITY  
CASE NO. PUC-2002-00126

On August 5, 2002, the City of Bristol d/b/a Virginia Bristol Utilities Board ("Bristol" or "Applicant") completed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity to provide local exchange telecommunications services, and for interim operating authority to operate as a local exchange carrier.

By its procedural Order dated August 16, 2002, the Commission denied the Applicant's request for interim operating authority. A copy of this Order may be reviewed at the Commission's website at <http://www.state.va.us.scc>.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from Bristol's counsel, JoAnne L. Nolte, Esquire, and Scott M.J. Anderegg, Esquire, PennStuart, 801 East Main Street, Suite 1110, Richmond, Virginia 23219.

Any person desiring to comment on Bristol's application may do so by

directing such comments in writing on or before October 3, 2002, to the Clerk of the Commission at the address set forth below and shall serve a copy of the same on or before October 3, 2002, upon Bristol's counsel at the address set forth above.

Any person may request a hearing on Bristol's application by filing an original and fifteen (15) copies of its request for hearing on or before October 3, 2002, with the Clerk of the Commission at the address set forth below. Requests for hearing must state with specificity why a hearing should be conducted. Persons filing a request for hearing shall serve a copy of their request on or before October 3, 2002, upon Bristol's counsel at the address set forth above.

All written communications to the Commission concerning Bristol's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUC-2002-00126.

The City of Bristol

(4) On or before September 12, 2002, the Applicant shall provide a copy of the notice contained in ordering paragraph three (3) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and interexchange carriers

in Virginia are attached to this Order as Appendices A and B, respectively.

(5) Any person desiring to comment in writing on Bristol's application may do so by directing such comments on or before October 3, 2002, to the Clerk of the Commission at the address set forth below. On or before October 3, 2002, a copy of such comments shall be served on Bristol's counsel at the address set forth above. Comments must refer to Case No. PUC-2002-00126.

(6) On or before October 3, 2002, any person wishing to request a hearing on Bristol's application shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC-2002-00126 and shall state the following: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Copies shall also be served on the Applicant at the address set forth above.

(7) On or before October 10, 2002, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(8) The Commission Staff shall analyze the reasonableness of Bristol's application and present its findings in a Staff Report to be filed on or before October 28, 2002.

(9) On or before November 7, 2002, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of its response to the Staff Report or parties' comments and requests for hearing. A copy of the response shall be delivered to Staff and the other parties by overnight delivery.

(10) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Commission's Rules of Practice and Procedure.

(11) The Applicant shall respond promptly to requests from interested parties for copies of the Application and

shall provide one copy of same free of charge to the requesting party.

(12) This matter is continued generally.